

Tax Map Key No. (3) 2-4-008:003

FROM: STATE OF HAWAII
BOARD OF LAND AND NATURAL RESOURCES

TO: DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, Hawaii 96813

EXECUTIVE ORDER NO. 4462

AMENDMENT OF GOVERNOR'S PROCLAMATION DATED DECEMBER 22, 1928,
FOR PUBLIC PURPOSES

WHEREAS, Governor's Proclamation dated December 22, 1928, proclaimed both public and private lands within forest reserve boundaries designated as "Proclamation of Modification of Boundaries of the Hilo Forest Reserve, District of South Hilo, Island and County of Hawaii, Territory of Hawaii"; and

WHEREAS, by that certain Warranty Deed dated June 8, 2008, recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 3764580, Transfer Certificate of Title No. 913617, the State of Hawaii was the grantee of certain land situate at Kukuau 1st, South Hilo, Island of Hawaii, Hawaii, containing an area of 1335.980 acres,



being tax map key no. (3) 2-4-008:003, purchased for the purpose of addition to the State of Hawaii's Upper Waiakea or Hilo Forest Reserve; and

WHEREAS, tax map key no. (3) 2-4-008:003 lies within the current boundary of the Hilo Forest Reserve; and

WHEREAS, by Board of Land and Natural Resources' approval dated August 28, 2009, it was recommended that the Governor of the State of Hawaii amend Governor's Proclamation dated December 22, 1928, to change the status of land defined as tax map key no. (3) 2-4-008:003 at Waiakea, South Hilo, Island of Hawaii, Hawaii, compromising approximately 1,336 acres, from private to public (State of Hawaii) ownership, and that this land be under the management of the State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife as the Kukuau Section of Hilo Forest Reserve.

NOW THEREFORE, BY THIS EXECUTIVE ORDER, I, the undersigned, Governor of the State of Hawaii, by virtue of the authority in me vested by Section 171-11, Hawaii Revised Statutes, as amended, and Section 183-11, Hawaii Revised Statutes, as amended, and every other authority me hereunto enabling, do hereby order that the public land hereinafter described be, and the same is, hereby set aside for the following public purposes:

FOR HILO FOREST RESERVE (KUKUAU SECTION), to be under the control and management of the State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife, being that parcel of land situate at Kukuau 1st, South Hilo, Island of Hawaii, Hawaii, and identified as "Hilo Forest Reserve (Kukuau Section," being all of Lot 11-B as shown on Map 53 of Land Court Application 1205 filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii, containing an area of 1335.980 acres, covered by Transfer Certificate of Title 913,617, more particularly described in Exhibit "A" which is attached hereto and made a part hereof, said exhibit being a survey description prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii, being designated C.S.F. No. 25,102 and dated August 10, 2011.

SUBJECT, HOWEVER, to the condition that upon cancellation of this executive order or in the event of non-use or abandonment of the premises or any portion thereof for a continuous period of one (1) year, or for any reason whatsoever, the State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife shall, within a reasonable

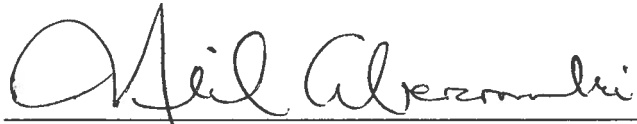


time, restore the premises to a condition satisfactory and acceptable to the Department of Land and Natural Resources, State of Hawaii.


SUBJECT, FURTHER, to disapproval by the Legislature by two-thirds vote of either the Senate or the House of Representatives or by majority vote of both, in any regular or special session next following the date of this Executive Order.

This executive order does not authorize the recipient of the set aside to sell or exchange or otherwise relinquish the State of Hawaii's title to the subject public land.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Hawaii to be affixed. Done at the Capitol at Honolulu this 7th day of July, 2014.


NEIL ABERCROMBIE
Governor of the State of Hawaii
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APPROVED AS TO FORM:


LINDA L.W. CHOW
Deputy Attorney General

Dated: March 28, 2014



STATE OF HAWAII

Office of the Lieutenant Governor

THIS IS TO CERTIFY That the within is a true copy of Executive Order No. 4462, amending Governor's Proclamation dated December 22, 1928, the original of which is on file in this office.

IN TESTIMONY WHEREOF, the Lieutenant Governor of the State of Hawaii, has hereunto subscribed his name and caused the Great Seal of the State to be affixed.



SHAN S. TSUTSUI

Lieutenant Governor of the State of Hawaii

DONE in Honolulu, this 7th day of

July, A.D. 2014



**STATE OF HAWAII
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
HONOLULU**

C.S.F. No. 25,102

August 10, 2011

**HILO FOREST RESERVE
(KUKUAU SECTION)**

Kukuau 1st, South Hilo, Island of Hawaii, Hawaii

Being all of Lot 11-B as shown on Map 53 of Land Court Application 1205, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii and containing an AREA OF 1335.980 ACRES and covered by Transfer Certificate of Title 913,617 issued to the State of Hawaii (Land Office Deed S-28921).

Being also a portion of Hilo Forest Reserve, Governor's Proclamation dated December 22, 1928.

TOGETHER WITH Easement 107 for Road Purposes as shown on Map 53 as set forth by Land Court Order 72554 filed on December 18, 1984, Easements 138, 137 and 136 for Road and Utility Purposes as shown on Map 58, access across Lot 10-A as shown on Map 7 as set forth by Land Court Order 57251 filed on July 24, 1980, 40 Foot Easement for Road Purposes as set forth by Land Court Order 9816 filed on September 12, 1950 and Easement 209 for Roadway Purposes and Roadway Lot 331 as shown on Map 73 as set forth by Land Court Order 104144 filed on October 8, 1991.

PRELIM. APPR'D.
Department of the
Attorney General

C.S.F. No. 25,102

August 10, 2011

SUBJECT, however, to any and all encumbrances that may be noted on Transfer Certificate of Title 913,617.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: _____

Gerald Z. Yonashiro
Land Surveyor

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Compiled from Land Court
Records.